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BUREAU OF LAND PROTECTION
Division of Solid Waste Management
520 East Broad Street
Bethlehem, Pennsylvania 18018
AC 215 865-5750

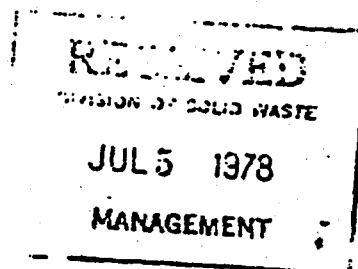
July 3, 1978

Re: Hebelka Waste Storage and/or
Processing Site
Weisenberg Township
Lehigh County

CERTIFIED MAIL

Mr. Joseph Hebelka
Route 1
Breinigsville, Pennsylvania 18031

Dear Mr. Hebelka:



NOTICE OF VIOLATION

On June 12, 1978, an inspection of the Hebelka Waste Storage and/or Processing Site was conducted by this solid waste specialist. The following violations of the Pennsylvania Solid Waste Management Act and Chapter 75, Solid Waste Management Rules and Regulations, were observed:

1. The operator of the subject site is using approximately twenty (20) acres of land for the storage and/or processing of various types of refuse including but not limited to automobile parts, tires, battery casings and related paraphernalia without the necessary permit.

"Subchapter C. §75.21(a) A permit shall be required of any person, municipality, State Agency or authority proposing to use or continue to use their land or any other land as a solid waste processing or disposal area."

2. The subject is storing, maintaining and keeping the premises in a manner conducive to the production, subsistence, dissemination and harborage of vectors capable of carrying communicable diseases resulting in a spread of possible infectious disease in the area.

"Subchapter C. §75.28(a) The storage of all solid waste shall be practiced so as to prevent the attraction, harborage or breeding of

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Mr. Joseph Hebelka

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insects or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness and public nuisances.

"Subchapter C. §75.23(h) Storage of accumulations of reusable or resalable materials shall be allowed to the extent of a verifiable rate of recovery, plus a reasonable supply for market or reuse. The rate of recovery shall be verified by valid contractual agreements or historical rates."

3. The subject site is storing battery casings in a large pile measuring approximately 20' x 70' x 10' and an additional pile measuring 10' x 90' x 5' which are located on severe slopes with no surface runoff control or percolation water control of surface water resulting in leachate generation contaminated with heavy metals generated from these spent battery casings.

"Subchapter C. §75.29(f)(3) Hazardous waste shall not be allowed to accumulate in violation of the standards of this Chapter."

The Hebelka Waste Storage and/or Processing Site is being operated in violation of Chapter 75, Solid Waste Management Rules and Regulations, Subchapter C. §75.21 Processing and Disposal Area Permits, §75.22 Permit Application and Issuance, §75.23 Plans for Solid Waste Facilities and General Standards for Storage of Solid Waste, and §75.38 General Standards for Industrial and Hazardous Waste Disposal Sites.

Within thirty (30) days of receipt of this Notice of Violation, Mr. Joseph Hebelka shall commit himself to compliance with the Solid Waste Management Act by application for a permit, or the submission of a plan to close the site in accordance with the rules and regulations of the Department. Failure to comply can result in legal action being taken.

If you have any questions regarding this matter, please feel free to contact the writer at telephone 215-865-5750.

Sincerely,


C. F. Gitschier
Solid Waste Specialist

Encls:
Act 241
Ch 75

bc: Reynold G. Reinert, Weisenberg Twp. Administrator
Wm. K. Klingaman Sr., Representative Dist. 124

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